# Delegation of Classification Authority (DCA)

# *Commander's Briefing*

# Purpose

- **Enable the Commander to delegate and oversee classification processes**
- **Publicize Army classification policies**
- **Explain impact of regulations for the Fair Labor Standards Act (FLSA)**

# Classification Functions

- **CPOC and CPAC each have functions**
- **CPOC Functions**
  - **Classification processing**
  - **Application of new standards**
  - **Review of appeal packages**
  - **Pay administration (including FLSA)**

# Classification Functions

- **CPAC Functions**
  - **Advice to employees**
  - **Classification training (with help from CPOC), especially on automation tools**

# Classification Decisions

- Pay System [DCA Manager]
- Series/Occupation [DCA Manager]
- Grade [DCA Manager]
- Title [DCA Manager]
- Fair Labor Standards Act [CPOC]
- Other codes [CPOC]

# DCA Policy

- **Memo dated 17 Nov 97 (on the web)**
- **Delegation is through MACOMs to installation/activity commanders**
- **Commanders delegate authority through management chain to lowest practical level**
- **Requires training before delegation**
- **Certain restrictions**
- **If manager lacks authority, CPOC classifies position descriptions**

# DCA Policy

- **Manager must follow laws, regulations, classification standards, and guidance**
- **Manager uses FASCLASS, PD Library, COREDOC, & other tools**
- **CPAC advises and trains (with CPOC)**
- **CPOC verifies PD format and classification**
- **CPOC determines FLSA**
- **CPAC/CPOC/Manager coordinate on any problems or issues they encounter**

# Automation Tools

- **http://www.cpol.army.mil**
  - **FASCLASS (to select a PD)**
  - **PD Library (to select a PD)**
- **Modern System**
  - **COREDOC (to create a PD)**

# Tool Assumptions

- **PD Library and COREDOC PDs are accepted when unchanged or when they contain only minor edits**
- **Other PDs require closer review**
- **Maximum of one advisory determination from CPOC per case**

# Regulatory Base

- Executive Orders
- Title 5, USC
- Code of Federal Regulations (CFR)
- OPM classification standards or manuals
- DOD regulations or manuals/instructions
- Army regulations & policy memoranda
- MACOM regulations
- Local regulations
- Union agreements

# DCA Summary

- **Commander and managers control personnel resources--job and organization design**
- **CPAC provides training and advice**
- **CPOC processes PDs and assists CPAC & Managers**
- **Disputes resolved through chain-of-command**
- **Everyone follows laws & standards**
- **BPMs, task lists, and SOPs specify action steps**
- **DCA requires training before delegation**

# Key Terms

- **"Major Duty" drives HR decisions and represents the essential and basic reason for the position, either:**
  - **25% or more of the employee's time, or**
  - **requires a significant knowledge, skill, or ability that would influence recruitment**

# Key Terms

- **"Grade-Controlling Work" Work which supports the grade or pay level of the position**
  - **In General Schedule, must be at least 25% or more of the employee's time**
  - **In Federal Wage System, must be *regular and recurring***

# Advisory Services

- **CPOC**
  - **appeals**
  - **new standards**
  - **pay administration**
  - **advisories on unusual positions**
- **CPAC**
  - **general questions**
  - **PD formats**
  - **preventing/correcting misassignments**

# Balancing Economy and Efficiency

- **Commanders, directors, managers, and supervisors must design organizations that:**
  - **Use the lowest grades feasible to accomplish the mission**
  - **Normally provide for career progression**
  - **Eliminate excessive layers of supervision**
  - **Avoid the assignment of employees to position descriptions that do not match the work assigned and performed**

# Balancing Economy and Efficiency

- **The Fully Automated System for Classification (FASCLASS) is an automated tool that:**
  - **Provides position descriptions as well as organizational data (linked to Army Regional Tools).**
  - **May be useful for management to consider when designing organizations.**

# Fair Labor Standards Act

- **Applied to Federal Government in 1974**
- **New 5 CFR Part 551 issued December 29, 1997**
- **Two categories:**
  - **<u>Exempt</u>: NOT covered by FLSA overtime and minimum wage provisions (see Title 5 instead)**
  - **<u>Non</u>exempt: COVERED by FLSA overtime and minimum wage provisions**

# Provisions

- **Overtime**
  - **Employees paid 1.5 times the regular rate**
- **GS employees may request compensatory time**
  - **Nonexempt employees cannot be ordered to take compensatory time**
- **FWS employees may request compensatory time**
  - **CFR allows, but check your labor agreement**
- **Suffer or permit doctrine**

# Suffer or Permit

- **Any work a Nonexempt employee performs is counted as work:**
  - **Supervisor need not order or authorize**
  - **Sufficient that supervisor has reason to believe work was performed**
  - **<u>Note:</u> Some travel time or training time also considered hours of work**
- **<u>Example</u>: Employee works late or on the weekend and puts completed work in supervisor's "in box". Employee may be entitled to overtime pay.**

# Summary

- **Some employees have been or will be converted from Exempt to Nonexempt because of modern interpretations of 5 CFR Part 551**
- **Managers must monitor the work of all employees, but *especially* Nonexempt employees**
- **Managers must understand Army's liability for "suffered or permitted" work performed by Nonexempt employees**